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LYCURGUS

A TRANSLATION

BY

CHARLES M. MOSS

Bd. 4.3.10

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The oration against Leocrates is the only one extant of the orator Lysurgus. Its length atones in part for the absence of other speeches, for his style and his method of developing his arguments are sufficiently shown in it. The temper of the discourse discloses his attitude toward the events and men he is dealing with. He was a public leader as well as an orator.

One may say, then, that the speech is an elaborate discussion of the Athenian idea of loyalty to the state. It mentions what one may or may not do to preserve his rightful attitude toward the state, and not, as Leocrates did, violate all sanctities and all nobility of citizenship by a

craven scurrying away from Athens at a moment of national peril.

The style is serious, intense, well-ordered, and not much disturbed by his passion against the defendant's conduct, and it is not confused when he goes into the details of Leocrates' history. One meets no rambling sentences such as Andocides uses, crowding one thing after another into a sentence till it ends in something quite distinct. Lysurgus loses by his lack of familiar address, but sustains himself by reiterated emphasis upon a few points. As in most of the orations of that era, he does not spare his denunciations of the defendant.

He quotes from several authors to support his contention, the longest example being from

THESE THINGS ARE NOT TO BE TAKEN TOO SERIOUSLY.

IT IS A GOOD THING.

THEY ARE NOT TO BE TAKEN TOO SERIOUSLY.

THEY ARE NOT TO BE TAKEN TOO SERIOUSLY.

THEY ARE NOT TO BE TAKEN TOO SERIOUSLY.

THEY ARE NOT TO BE TAKEN TOO SERIOUSLY.

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THEY ARE NOT TO BE TAKEN TOO SERIOUSLY.

a lost play of Euripides. These lines are in keeping with Lycurgus' mood. They are apt, but they are mechanical, not to say unfeeling, are too masculine, too determinedly argued to suit the character even of a patriotic queen.

Lycurgus appears to make a strong case about Leocrates, but one is not quite sure that it is so strong against him. The jury had the same view, for its vote was tied. He must be set down as a rather stern, uncompromising speaker and leader.

The word Court is capitalized when it refers to the aeropagitic court, to distinguish it from the ordinary jury court.

This is the second of three volumes which include translations of the orations of

Andocides, Lycurgus, Dinarchus and Demades.

University of Illinois

April 15, 1922.

AGAINST LEOCRATES

Against Leocrates

For your sake, Athenians, and in reverence for the gods, I shall make a just and respectful beginning of the accusation against the defendant Leocrates. I pray Athena and the other gods and demigods enshrined in our city and country to make me today a competent accuser of his crimes, if I have justly sued and bring to trial the betrayer of their temples, statues, sacred precincts, lawful honors and sacrifices handed down by our forefathers. (2) It is both the people's and the city's interest that you who deliberate for fathers and children, wives, country and sanctuaries, and have the betrayer of them all subject to your ballot, be implacable judges both now and hereafter of those

who transgress in such important matters. But if I am not bringing to trial the betrayer of the country and a man who deserted the city and its temples, I pray for his acquittal both by gods and by you jurymen.

(5) I could wish, gentlemen, as it is advantageous to the city that there be accusers of transgressors, so also that their action be regarded in a friendly way by the people. But it has come to this, that if one takes personal risks and gains enmity in serving the public, he seems to be, not public spirited, but a busybody, which is neither just nor helpful to the city. For there are three things which chiefly protect and preserve democracy and the well-being of the city, (4) the code of laws, the ballot of juries, and the suit which lays

crimes before them. The law is to set forth what may not be done, the accuser is to lay charges against those who are amenable to punishment under the laws, the juryman is to punish those who are specified to him by these two. For this reason neither ballot of jurors nor law has significance apart from him who delivers culprits to them.

(5) Now I, Athenians, knowing that Leocrates shirked danger in behalf of his country, left his fellow citizens in the lurch, betrayed all your power, and is holden to all the enactments relating to it, have brought this indictment uninfluenced by hatred or contentiousness, or because I deliberately chose to bring this suit, but because I thought it disgraceful for a man to enter the market-place and look about, and to participate in the public rites,

who has become a reproach to the country and to you all. (6) It is the business of a just citizen not to bring to trial from personal enmity those who do the city no wrong, but to regard as personal foes those who do any illegal act against the country, and to think that public crimes are public matters, and to give reasons for his objections to the doers.

(7) Everyone must grant that public suits are important, particularly the one about which you are soon to cast your ballot. For whenever you try cases for illegal proposals, you are rectifying one point only and preventing one action, in so far as the decree would injure the city. The present suit, however, includes no small part of the city's interests and covers no brief time, but for the whole country and for all time will leave a

memorable case for our posterity. (8) So terrible is the crime and of such importance that no adequate accusation or penalty for it can be found, and none is defined in the laws. What ought a man to suffer who who deserted his country, did not protect the fanes of his fathers, left his family graves in neglect and made the whole land subject to its enemies? The greatest and severest penalty, death, stands as a compulsory assessment under the laws, but it is less than the crimes of Leocrates deserve.

(9) It has come about, gentlemen, that a penalty for such crimes has been omitted, not through the indifference of former law-givers, but because there was no such crime in former days, nor was one ever expected in the future. For this reason you have the important duty of being not only judges of the crime,

but also law-makers. Such crimes as the law defines you can readily use as a guide in punishing malefactors, but those which it does not expressly include in its wording, or if someone commits a crime greater than the law and becomes amenable to all laws alike, your decision necessarily becomes a precedent for your descendants. (10) Be sure, gentlemen, that you will also incline all the young to virtue. For there are two things that train the young, the punishment of evil doers and the reward given to noble men. Looking at these in turn they avoid the one through fear and desire the other for the sake of their reputation. Wherefore, gentlemen, you must give heed to this trial and place nothing before justice.

(11) I shall make a just accusation, neither

falsifying anything nor speaking outside the case.

Most of those who come before you act absurdly,

for they either discuss public affairs or condemn

and rail about everything except what you are to

vote upon. It is not hard to express an opinion

about what you are not considering, or to bring

a charge about something that no one will defend.

(12) But it is not fair for you to expect to cast

a just ballot and for them not to make a just

charge. You are responsible for this, gentlemen,

for you have granted this license to men coming

here although you have the finest example of any of

the Greeks in the areopagitic court, which differs

so much from other courts that it is confessed by

those whom it convicts that it affords an impartial

trial. (13) With this in mind, it is your duty not

to be influenced by those who speak irrelevantly, for, by doing so, the suit will be free from slander against the defendants, the plaintiffs will least become sycophants, and you will cast your ballot in full accord with your oath. It is impossible to cast a just ballot if you have been wrongly instructed.

(14) You must not overlook this, gentlemen, that the suit is not the same in this man's case and that of other private citizens. You might appear among yourselves to have voted well or ill about a man unknown to the Greeks, but whatever you decide about this man will be told among all the Greeks who know that the achievements of your forefathers are far different from this man's^{actions}. For he is conspicuous because of his voyage to Rhodes,

and for the statement which he made about you both to the Rhodians and to the importers stopping there. (15) These men sail about the whole world on business and told what they heard Leocrates say about our city. So it is very important that you advise correctly about him. Be sure, Athenians, that wherein you differ most from other peoples, in reverence for the gods, respect for parents, pride in the fatherland, you would seem to be most neglectful if this man should escape punishment at your hands.

(16) I ask you, Athenians, to hear my accusation to the end, and not to be vexed if I begin with what befell the city at that time, but to be angry at those who caused it and compel me to call attention to them.

When the battle of Chaeronia had taken place and all of you had gathered at the assembly, the people voted to bring the women and children from the country within the walls, and the generals to form guards of the Athenians and others living at Athens, as they thought best. (17) Leocrates heeded nothing of this, but got together what property he had, and his servants helped him carry it to the boat already anchored off the shore. Late in the evening he and his mistress, Eirenis, went to the boat through the gate along Acte and sailed away in flight, without regard for the harbors of the city from which he was putting to sea, or respect for the walls of the country which he left unprotected as far as he was concerned. Nor did he fear as he beheld and betrayed the acropolis

and the temple of Zeus Savior, and of Athena Protectress. Yet he soon will appeal to them to save him from his peril. (18) He disembarked and came to Rhodes as if announcing great good fortune for his country, and told them that he had left the city captured, the Piraeus besieged, and himself barely got away with his life. He was not ashamed to proclaim the misfortune of his country as his own salvation. So thoroughly did the Rhodians believe this story that they manned triremes and drew the shipping to shore, while those importers and shipowners who were ready to sail hither unshipped their grain and other freight on the spot because of his tale. (19) To show you that I speak the truth, the clerk will read all the testimony to you, first, of the neighbors and of those living

thereabouts who know that he fled in war-time and sailed away from Athens, and then of those who were at Rhodes when Leocrates told his story, and after that the testimony of Phrynichus who, most of you know, denounced him before the people because he had greatly injured the impost tax by participating in it.

(20) Before the witnesses come to the platform I want to speak to you briefly, You certainly are not ignorant, gentlemen, of the schemes of accused persons, nor the appeals of those beseeching you, but you know well enough that for money or favor many witnesses have been persuaded to forget, or not to come here, or to find some other excuse. Do you demand that the witnesses come to the platform, not in dread nor to make personal advantage of more

concern than yourselves and the city, but to render truth and justice to the country, and not to shirk this duty in imitation of Leocrates, nor, with hands on the sacred emblems, as the law directs, to swear that they are ignorant of the facts.

Read the testimony.*

TESTIMONIES

(21) After this, gentlemen, as time passed and ships came from Athens to Rhodes, and it appeared that nothing unusual had happened to the city, again he sails in terror from Rhodes to Megara. There he lived more than five years with a Megarian as patron, with no respect for the boundaries of the land, an alien in a neighboring country, and away from the one country that nourished him. (22) He had so

*Addressed, here and elsewhere, to the Clerk of the Court.

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condemned himself to permanent exile that he sent for Amyntas, who married an elder sister, and Antigenes of Xypete, one of his friends, and begged his relative to buy his slaves and house and sell them for a talent. He directed him to pay his debts and his loans from this sum and to return the rest to him. (23) When Amyntas had adjusted all these matters, he sold the slaves again for thirty minae to Timochares, the Acharnian, who married the man's younger sister. As Timochares did not have the money to pay, he made a contract and deposited it with Lysicles, and paid a mina as interest to Amyntas. In order that you may not imagine this to be a mere story, but may know that it is the truth, the clerk will read to you the testimony of these persons. If Amyntas were alive I should present him, too. As it

is, I shall call before you those who know the facts. Please read the testimony, that Amyntas bought the slaves and the house from Leocrates in Megara.

TESTIMONY

(24) Listen also now Philomelus, the Chologargian, and Menelaus, envoy to the king, received forty talents from Amyntas.

TESTIMONY

Please read also the testimony of Timochares who bought the slaves from Amyntas for thirty five minae, and the agreements.

TESTIMONY AGREEMENTS

(25) You have heard the witnesses, gentlemen. You ought to be stirred to detest this Leocrates for what I am about to say. For it was not enough

for him merely to withdraw his person and his property, but he also sent for and removed from our country to Megara the sacred objects which his forefathers handed down according to your lawful and inherited customs. He had no reverence for the name of these ancient sanctities, for he removed them from the country and took them with him into exile. He deserted the temples and country where they were and established them upon a foreign and alien soil, by that act making them strangers both to the land and the usual customs of the people of Megara. (26) Your fathers named the country Athens after Athena who was allotted this territory, in order that those who venerated the goddess might not desert a city named after her. But Leocrates so far as he could by his disregard of custom,

native country and temples, made even the favor of the gods a matter of export. He was not satisfied to wrong the city in that degree and manner, but while he lived in Megara he used the funds which he had transferred from here as capital, procured grain from Cleopatra in Epirus, and brought it to Leucas and thence to Corinth. (27) And yet, gentlemen, your laws set the extremest penalty upon whoever of the Athenians carries grain elsewhere than to your ports. Furthermore, now that you have this man in the power of your ballots, a traitor in the war, a lawless importer, a man without regard for temples, country or laws; will you not kill him and make him an example to others? Truly you would be the most indulgent of men and least indignant at grave crimes.

(28) Also, gentlemen, do you pay heed to these matters as I make a just review of them, for I do not believe that you should vote upon such crimes haphazard, but when you know the truth, not that the witnesses will furnish proof in their testimony, but that they have done so. For I challenged them in a written summons about all these matters and demanded that this man's slaves be tortured. The summons is worth hearing. Please read it.

SUMMONS

(29) You hear the summons, gentlemen. Leocrates did not accept it and thereby condemned himself as a traitor to the country, for the man who avoids proof coming from those who know the facts confesses that the charges are true. Who of you does

not know that it is more just and democratic in disputed questions when men and women slaves know what should be disclosed, to test and torture them, and to trust deeds more than words, particularly in public affairs of great importance to the city?

(30) I am so far from bringing an unjust case

against Leocrates that I wished at my own peril that proof should be obtained by torturing his slaves,

men and women. He did not stay, but went off because

he knew he was guilty. Yet the slaves of Leocrates,

gentlemen, would have denied any of the charges

sooner than falsify against their own master to facts

that do not exist.

(31) Besides this, Leocrates will forthwith

cry out that he is a private citizen undone by the

skill of an orator and blackmailer. But I think you

all know that it is the business of skilled speakers and those who attempt to play the sycophant to anticipate and seek those points at which they will introduce their fallacies against the defendants, while those who enter suits in a proper way and carefully show that they will keep their oaths, are seen to act in a different manner, as we do. (32) Do you reason thus about them among yourselves. Whom would it be impossible to mislead by skilful use of speech? Naturally, slaves under torture, male and female alike, would tell the whole truth about all crimes. But Leocrates avoided presenting them, not another's, but his own. (33) Who can be won over by words? Whose tenderness of disposition can be turned to pity by tears? The judges'. Leocrates, the traitor, has come here

through fear of nothing else except that those who would actually confute him, and he himself, would come from the same house. What need is there of pretexts, or talk, or excuses? Justice is simple, truth is easy, proof takes but a moment.

(34) If he acknowledges the indictment to be true and sacred, why does he not receive the legal penalty? If he says it is not true, why did he not hand over his slaves? Surely it was important that a man on trial for treason should deliver them for torture and omit no form of definite proof. (35) He did nothing of the kind, but after witnessing against himself that he is a traitor to his country, its temples and its laws, will demand that you vote contrary to his own confessions and testimonies. How can it be just for a person who has stripped himself

of the privilege of personal defense for other reasons as well as that he did not follow a just course, I say, how is it right to permit this person to deceive you about confessed crimes? (36) Concerning his acknowledgement of the summons, and the crime, gentlemen, I think you have learned enough. I want to remind you of the crisis and what sort of perils the city was in when Leocrates betrayed it. Clerk, please read the decree of Hyperides.

DECREE

(37) You hear the decree, gentlemen, declaring that the senate of Five Hundred is to go to Piraeus under arms to consult about a guard for it, and when it has made ready, to do whatever seems to the interest of the people. Still, gentlemen, if men remained in the ranks who had been relieved of service to deliber-

ate for the city, do the fears that gripped it at that time seem trifling or commonplace? (38) In the midst of them Leocrates ran away and took his belongings, sent for his heirlooms, and went so far in his treason that, by his own choice, the temples were deserted, the guard of the walls was absent, and the city and country were abandoned. (39) In those times, gentlemen, who would not have pitied the city, I do not say merely a citizen, but even a stranger who had tarried here in times gone by? Who was there so averse to the democracy or to the Athenians that he could have endured to see himself keeping out of the army when defeat and the ensuing misery were announced to the people? when the city was excited over its misfortunes and hope of safety for the state rested in those who were more than fifty

years old? (40) When one could see free women at their doors cowering in terror and asking if husband or father or brothers were still alive, a sight unworthy of them and of the city? when men feeble of body and of many years, now excused by law from military duty, could be seen wandering about the whole city in their old age with folded garments fastened with a brooch?* (41) Although there were many fearful happenings in the city, and all citizens were most unfortunate, one would especially have grieved and shed tears over our misfortunes on seeing the assembly vote to make freemen of slaves, Athenians of foreigners, and to restore civic rights to the disfranchised, when formerly he had boasted that he had sprung from the soil and was free.

*Instead of being draped as usual.

(42) Such a change did the city undergo that it used to contend for the freedom of other Greeks, but in those days it was thankful if it was able to incur risks incident to its own safety. Formerly it controlled much barbarian territory, but then faced the Macedonians to save its own, while the peoples whom the Lacedaemonians and Peloponnesians and the Greeks in Asia formerly called upon for aid, now asked help of Andros, Cos, Troezen and Epidaurus for themselves. (43) What judge, gentlemen, who loves his city and wishes to be reverent could acquit the man who deserted the city in the midst of such dangers and shame, and neither took up arms for his country nor offered his person to the generals for service, but fled and betrayed the safety of the people? What orator summoned for the case

would help the betrayer of the city, the man not courageous enough to sympathize with the misfortunes of his country nor contribute anything to the safety of the people, (44) when the land gave its trees, the dead their graves, and the temples their armor? In those days there was no age that did not give itself for the protection of the city. Some cared for the repair of the walls, some for the ditches, some for the palisades. No one in the city was idle. For no one of these things did Leocrates offer his help. (45) You should remember this and punish with death the man who did not deem it worth while to join in and go to the burial of those who died at Chaeronia for the freedom and safety of the people. These men were left unburied so far as he was concerned. Seven years later he was not ashamed

to go past their tombs and to call their father-land his.

(46) I wish, gentlemen, to say a little more about those men, and I ask you to listen and not regard such remarks unsuited to public trials. The eulogies of brave men are a clear testimony against those who practise the opposite behavior. Besides, it is not just to omit their praise at the public and general contests of the city, when it is the sole reward for the risks which brave men take in giving their very lives for the common safety of the state.

(47) They met the enemy on the frontiers of Boeotia and fought for the freedom of the Greeks with no hope of safety within walls, nor did they yield or give over the land to be despoiled by the enemy. They believed that their courage was a surer protection

than circuits of stone, and were ashamed to permit the land that nourished them to be devastated.

With reason. (48) For, just as all men do not have the same sentiment toward their natural and adoptive fathers, so also they are less attached to countries not theirs by birth, but acquired later.

With such sentiments and with noble men who shared the dangers with them, they did not share with them in like fortune, for they do not in life enjoy the rewards of valor, but in death left a glorious name. They were not defeated, but died where they stood while fighting for liberty. (49) If one may use a paradoxical but truthful remark, they died as victors, for the prizes of war for brave men are freedom and honor, and both of these belong to the dead. It cannot be said that they were defeated who

did not cower in fear of the oncoming enemy. No one can justly say that they are defeated who alone die nobly in war, for they choose a glorious death to avoid slavery.

(50) The nobility of these men made this clear, for they alone held the liberty of Greece in their own persons. For the moment they died Greece fell into slavery, and the freedom of the other Greeks was buried with their bodies. From this fact they made it clear to all that they warred for no private interest, but faced danger in behalf of the common freedom. So that I should not be ashamed, gentlemen, to say that their lives are the crown of the fatherland. (51) Because of what they used to practice wisely, you alone of the Greeks, Athenians, know how to honor brave men. You

will find statues of athletes set up in the market-places of other peoples, but in yours of brave generals and of those who slew the tyrants. It is not easy to find such men anywhere in Greece, but those who have been crowned as victors in contests can readily be seen everywhere. Hence, as you grant high honors to benefactors, so justly should you punish most severely those who betray and disgrace the fatherland.

(52) Consider, gentlemen, that it is not in your power to acquit Leocrates if you act justly, for this crime has been judged and condemned. The Court (let no one make a disturbance, for I understand that it was the most important defense of the city at that time), arrested and put to death as enemies those who fled and deserted the country. Do

not suppose, gentlemen, that those who decide the deadly crimes of others most reverently would themselves transgress against a citizen in any such wise. (53) You condemned and punished Autolycus who stayed amidst our perils because he was charged with removing his sons and wife. If you punished the man who was merely charged with removing his sons who were unfit for war, what ought he, if he is a man, to suffer who did not return his debt to his country? The people thought the case so important that they voted that those who shirked danger in behalf of their country should be held for treason, in the belief that they deserved the severest punishment. (54) Will you jurors vote contrary to what was condemned by that most righteous Court, voted against by a jury, and

agreed by the people to be deserving of the severest penalty? Truly you will be the most stupid of all men and will have the least number to undergo perils for you.

(55) It is clear, gentlemen, that Leocrates is answerable to all the charges. But I understand that he will try to deceive you by saying that he sailed as a trader and went to Rhodes on that business. If he says this, note how readily you will take him in a falsehood. For, first, traders do not embark from the shore by way of the Little Gate, but within the harbor, and are seen and saluted by their friends. Second, he did not go with his mistress and servants, but merely with a slave to help him. (56) In addition to this, what business did an Athenian have that he should spend

five years as a trader at Megara, move away his inherited possessions, and sell his house here, unless he acknowledged himself to be a traitor to his country and to be greatly wronging everyone? It would be the most absurd of all things if you, with a ballot in your hands, acquit him of what he expected to be punished for. Aside from this, I do not think it necessary to accept this defense. (57) For, isn't it dreadful for those who are away on business to hasten to the aid of the city, and for this one man to go off to trade in those critical times when no man should have thought of gaining anything, but only to keep what he had? I should be glad to learn from him what he could bring in to better advantage to the city than to give himself to the generals to place in the ranks and to

fight with you and ward off our assailants. I know of no aid like that. (58) He deserves anger not only for his action, but because he had the impudence to lie openly about it. For neither before nor at any time was he at this business, but he owned coppersmiths, and did not put to sea and import anything from Megara, although he continued there for six years. More than that, he had a share in the impost tax, which he would not have left and gone off to trade. So if he tries to say anything about this, I think you will not permit it.

(59) Perhaps he will bring forward the argument which some of his counsel advise, that he is not answerable for treason because he was not in control of the dockyards nor the gates nor camps, nor, in

short, of any of the affairs of the city. I believe that those who were responsible for these matters betrayed some part of your power, but this man delivered up the whole city. Some merely wrong the living by being traitors, but this man is a criminal even against the dead by depriving them of their hereditary privileges. (60) Even if the city had been betrayed by them, it would be inhabited though enslaved, but in the way he deserted it, it would be uninhabited. When cities fare ill it is reasonable that a change would be for their betterment, but from their being completely destroyed they would also be deprived of their common hopes. Just as a living man hopes to be liberated from some misfortune and, when dead, everything is taken away by which one may be content, so also cities

have an end of their misfortunes when they are swept away. (61) If I must tell the truth, to be overturned is the death of a city. The proof is complete. Our city was anciently enslaved by tyrants and later by the Thirty, when its walls were razed by the Lacedemonians. Nevertheless we were freed from both of them and became responsible for the well-being of the Greeks. (62) It is not so with all that have been overthrown. If I may mention a more ancient example, who has not heard that Troy, the greatest of cities of its time and mistress of all Asia, was once for all razed by the Greeks and is uninhabited to this day? And that four hundred years later Messene was resettled by men from other places?

(63) Perhaps one of his counselors will presume

to say, as though it were a mere trifle, that none of these things would happen through one man, and they feel no shame in making an apology before you that might justly bring death to them. If they agree that he deserted the country, then let them permit you to decide about the magnitude of the offense, but if he has not done so, is it not sheer madness to say that nothing would happen through him? (64)

For my part, gentlemen, I think quite differently from these men, that the safety of the city rested upon him, for the city stands because it is guarded by each man's part in it. So whenever anyone ignores it in one particular he has done so in all.

It is easy to find the truth, gentlemen, by looking at the opinions of our ancient lawgivers.

(65) They did not assign death to a man who had stolen

a hundred talents and a less penalty to one who had taken ten drachmae. They did not put to death a man who had grievously despoiled the temples, and punish small offenses with less penalty. Nor did they fine a man who killed his servant and keep the man who killed a freeman from the public rites, but they set death as the penalty for all illegal acts, even the least. (66) In their day they did not look each time at the particular kind of crime committed, and then consider the magnitude of it, but only at this, whether, if it became worse, it would seriously injure mankind. Otherwise it would be folly to inquire into it at all. Well, gentlemen, if a person should go into the metroon and erase one ordinance and then should defend the act by saying that the city suffers no harm by the loss, would you not put

him to death? I believe that you would justly do so if you propose to protect the rest of the people. (67) Likewise this man must be punished if you propose to make the rest of the citizens better. You will not consider whether he is one individual merely, but will look at his act. I think that it is our good fortune that there are not many such as he, but that he deserves a severer penalty because he is the only citizen who has sought his own instead of everybody's safety.

(68) I am particularly irritated, gentlemen, whenever I hear one of his partizans say that it is not betrayal if one left the city, because our forefathers once left it when they were fighting Xerxes, and crossed to Salamis. He is so stupid or so utterly contemptuous of you that he assumes to compare the

noblest acts with the vilest. (69) Where is not the courage of those men applauded? Who is so mean or so destitute of ambition as not to pray to share in their deeds? They did not desert the city, but with patriotic purpose merely changed its location in view of impending disasters. (70) Etionicus, the Lacedemonian, and Adimantus, the Corinthian, with the Aeginetan fleet, were ready to take them to safety under cover of night. When our forefathers were deserted by all the Greeks they forcibly freed the others by compelling them to fight with themselves against the barbarians, at sea off Salamis. Single-handed they surpassed both the enemy and their allies, as befitted each of them, the one by benefits, the other by overcoming them in battle. Were they like the man who fled a

four day's voyage from his native country to Rhodes? (71) Of course any of those men would instantly have put up with such an act and would not have stoned to death the man who shamed their valor! Indeed, so much did they all love their native country that they almost stoned Alexander, who formerly was their friend, because he asked earth and water when he came as ambassador from Xerxes. Where they thought best to exact penalty even for the suggestion, doubtless they would not have punished with severity the man who actually delivered the city to its enemies! (72) They followed such principles and so became leaders of the Greeks for seventy years, laid waste Phoenecia and Cilicia, were victors on land and sea at Eurymedon, captured a hundred triremes from the barbarians, and sailed by and laid waste all the coast

of Asia. (73) As a climax to their victory they were not content with the trophy at Salamis, but fixed limits for the barbarians with a view to the liberty of Greece, and prevented those peoples from overstepping them. They made agreements with them not to sail in a long boat between the Cyaneas islands and the river Phaselis, and that the Greeks who lived not only in Europe but in Asia were to be autonomous. (74) Do you suppose that if everyone had followed the idea of Leocrates and fled, that any of these glorious deeds would have been done, or that you would still be occupying this land? You ought, therefore, gentlemen, as you laud and honor the brave, in like manner to detest and punish cowards, and particularly Leocrates who neither feared nor respected you.

(75) Now observe what your custom is in these matters and what your ideas are, for it is worth while to pass them in review although you know them. By Athena, the ancient laws of the city and the customs of those who first established them are an honor to which, if you pay heed, you will do justice and will seem dignified in the eyes of all men and worthy of your city. (76) You have an oath which all citizens swear when they are enrolled in the register of the deme and become ephebi, not to disgrace their sacred arms nor desert their post, but to defend the fatherland and hand it down better than they receive it. If Leocrates swore this oath he is plainly a perjurer, and not only wronged you but is impious toward the gods. If he did not swear it, he was obviously prepared to perform

(191) *...and the other side of the mountain.*

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no duty, and you would justly punish him for your own sake and the sake of the gods. I want you to hear the oath. Read it, clerk.

(77) OATH. I will not disgrace my sacred arms nor desert the comrade by whom I am standing. I will defend our holy places both single-handed and with many. I will hand down the fatherland not less, but greater and better than I received it. I will obediently listen to those who from time to time are in office, and I will obey the established ordinances and whatsoever others the people with one accord enact. I will not permit anyone to overthrow or disobey them, but will defend them alone or with all. The gods be witnesses: Aglaurus, Enyalios Ares, Zeus, Thallo, Auxo, Hegemone.

Noble and holy is the oath, gentlemen. Leocrates

acted contrary to it in all ways. Indeed, how could a man be more impious than by being a traitor to his country? How could anyone disgrace his arms more than to be unwilling to take them and to ward off its foes? Or by not offering himself for the ranks and by deserting his comrade and his post? (78) Or by undergoing no danger in defense of our holy and sacred shrines? By what greater treason could he betray his country? So far as he was able it has been left subject to its enemies. Will you not put to death the man who has been guilty of all these crimes? Whom, then, will you punish? Those who erred in some of these matters? It will be easy, indeed, to punish major crimes among you if you are seen to be furious merely at small ones!

(79) Moreover, gentlemen, you must understand this, that an oath is what holds ^{the} democracy together. For there are three factors of which the state is composed, the officer, the juryman, and the private citizen. An oath is the pledge which each of them gives, of course. Many persons hitherto by deceiving and eluding the people have not only escaped present dangers, but thereafter are immune from the penalty for their crimes, but no perjurer can elude or escape the gods or their vengeance, if not upon himself then upon his children, and his whole kin falls into great misfortunes. (80) Therefore, gentlemen of the jury, all Greeks gave this pledge at Plataea when they were in line and about to fight the armies of Xerxes, not improvising it themselves, but following the usual oath among you.

It is worth while to hear it, for, although these occurrences are old, yet one may often note the spirit of those men in our inscriptions. Please read it.

(81) OATH. I will not place life above liberty. I will not desert my leaders, living or dead, but will bury all those of our allies who perish in battle. If I overcome the barbarians in war, I will not destroy any Greek city which fought for Greece, but will dedicate a tenth of all those which sided with the barbarians. And of the temples burned or torn down by the barbarians I will rebuild none at all, but will leave them as a reminder to future generations of the impiety of the barbarians.

(82) So earnestly, gentlemen, did they all

apply themselves to this, that they had with them the goodwill of the gods as a help, and, although all the Greeks proved to be men brave in danger, your city was especially esteemed. It would be the most terrible of all things if your ancestors dared to die that the city might not be inglorious, and that you should not punish those who have disgraced it, but permit the common renown gained by many labors to be dissipated by the villainy of such men.

(83) It does not become you, gentlemen, of all the Greeks, to permit any of this. I wish to rehearse a few ancient events to you, for, with them as examples, you will deliberate better about these and other incidents. Your city has this very great advantage, that it has become an example to the Greeks

in noble deeds. So far as it is the most ancient of cities, so far our ancestors surpassed other men in valor.

(84) When Codrus was king the Peloponnesians resolved, because their land was sterile, to make war upon our city and to divide the country after expelling our forefathers. They first sent to Delphi and asked the god whether they would capture Athens. He responded that they would take the city if they did not kill its king. So they marched upon Athens. (85) But Cleomantis, a Delphian, learned of the response and secretly told it to the Athenians. So, it seems, they had men outside who were kindly disposed. When the Lacedemonians made their incursion into Attica what did (our forefathers) do, gentlemen of the jury? They did not leave the land

and go away as Leocrates did, nor make a gift of its temples to the enemy, and of the country that had nourished them. Few as they were and shut in, they persevered for the country's sake. (86)

So brave, gentlemen, were the rulers of that day that they chose to perish for the safety of their subjects rather than to live and exchange their country for another. So they say that Codrus told the Athenians to note when he should die, put on a beggar's raiment in order to deceive the enemy, and slipped out of the gates to collect fagots in front of the city. Two men from the camp came up to him and asked about affairs in the city, one of whom he attacked and killed with a scythe. (87) The survivor, enraged and supposing him to be a beggar, drew his sword and killed him. When this happened

the Athenians sent a herald demanding that their king be given to them for burial, and explaining the whole matter truthfully. The Peloponnesians gave him up and went away knowing that it was no longer possible for them to retain the land. For this your forefathers granted perpetual support in the prytaneum to Cleomantis, the Delphian, and his descendants.

(88) Did the kings of yore love the country as Leocrates did, who preferred to deceive the enemy and die for it and to exchange their own life for the common safety? That alone is why they are eponymi of the country and are honored as gods. With reason. For they were so strenuous in the country's behalf that even though dead they are justly heirs to it. (89) But Leocrates neither living nor dead

may justly share in it, but alone of all others might properly be expelled from the land which he deserted when he went over to our enemies. For it is not proper that the same earth should cover men of distinguished bravery and the basest of all human beings.

(90) Yet he has actually attempted to say what he will perhaps say to you, that he would never defend this suit if he felt that he had done anything like this. As if every thief and desecrater of temples does not say the same thing! It is no sign that they did not do it, but of their shamelessness. He has no business to say this, but that he did not sail away, nor desert the city, nor settle in Megara. (91) These are the proofs in the case. As for his coming here, I think some god led him to

punishment in order that, as he avoided an honorable peril, he might meet a dishonorable and inglorious death, and might get himself into the hands of those whom he betrayed. His being unfortunate elsewhere is no evidence that he should not be punished for these crimes. But it is plain to those whom he betrayed that he should be punished for the ones committed here, (92) for the gods do nothing sooner than mislead the purposes of bad men. Some of the ancient poets seem to me, as it were, to have written oracles when they left these verses to posterity. "Whenever the wrath of the gods injures a man, it first of all robs a sane mind of its wits and turns one's judgment to a worse in order that he may not know wherein he sins." (93) What older person does not remember, or young person has not

heard, of Callistratus whom the city condemned to death? When he fled and heard from the god at Delphi that, if he should return to Athens, he would meet the laws, he came back and took refuge at the altar of the twelve gods, but none the less he was put to death. And justly so, for to meet the laws means punishment for criminals, because god properly grants those who are wronged to punish the author of the wrong. It would be a shocking thing, indeed, if the same tokens were displayed to the pious and criminals alike.

(94) I think, gentlemen, that the gods give attention to all human affairs, and particularly to the respect due to parents, the dead, and themselves. Properly. For it is the rankest impiety if we do not, I do not say sin against them, but spend

our lives in serving those from whom we get our life and receive so many blessings. (95) It is said, indeed, that in Sicily (even if it is ever so fictitious a tale it will be useful to all young men to hear it), a stream of fire comes from Aetna, and that it flows to another district and an inhabited city there. Others took to flight to save themselves, but one of the younger men on seeing his aged father unable to escape because he was surrounded, lifted him up and carried him. With this added burden I imagine that he himself was also hemmed in. (96) From this tale it may be seen that the god is kind to good men, for it is said that the fire overflowed that region on all sides and they alone were saved. To this day the place is called the 'place of the pious'. All those perished who

made their departure nastily and left their parents behind. (97) In view of this testimony of the gods you ought with one accord to punish the man who is responsible for all direst crimes as far as in him lay, for he robbed our gods of their ancient honors, left his parents to the enemy, and did not permit the dead to receive the customary rites.

(98) Consider the deeds, gentlemen, (I shall not overlook them), upon which your ancestors prided themselves. When you have heard them you will appreciate them in a suitable way. They say that Eumolpus, son of Posidon and Onione, came with the Thracians to contend for this land, and that Erechtheus was king in those days, whose wife was Praxithea, daughter of Cephisus. (99) When a great army was about to enter the country he went to Delphi and asked the

god what he should do to win a victory over the enemy. The god responded that if he would sacrifice his daughter before the two armies met, he would defeat his foes. He did so in obedience to the god and expelled the invaders from the land. (100) One may justly praise Euripides because, great poet as he was, he chose to put this tale in verse, thinking it would be the best example for our citizens in their actions, and by recalling and thinking about it they would school their spirits to love their country. It is worth while, gentlemen of the jury, to hear the verses which he made the mother of the child speak, for in them you will find a loftiness of spirit and a nobility worthy of the city and of the daughter of Cephisus.

"If one generously shows kindness it is a satisfaction to men. If one acts, but does so at his leisure, it is not noble. I shall give my child to death, but I am thinking of many things. First, I think no other city preferable to this, whose people came not from other lands, but arose from this soil. Some cities have been founded by dissimilar and chance peoples, others arose from mother-cities. Whoever leaves one city and dwells in another fits like a bad joint in wood, is a citizen in name merely, not in fact. Then we bring forth children that we may protect the altars of the gods and the fatherland. The city has one name though many may dwell in it. How can I destroy them when one may be given to death for them all? If I know numbers and the greater from the less, if

the house of one man is smitten and moans it is not of more concern than a whole city, nay, it is not of equal concern. If I had a son instead of a daughter in my house, and hostile flames overspread the city, would I not send him to battle although I feared his death? Let me have children who will fight and be distinguished among men, not figure-heads born to no purpose in the city. The tears of mothers when they send their sons away unman many as they go to battle. I hate women who value the lives of their sons before honor, and approve of base conduct. Even when fallen in battle with others they gain a common tomb and equal fame, but a single crown will be given to my daughter alone if she dies for this city. And she will save her mother and thee* and her two sisters. Which

*Said to Elecntheus.

one of them is it not an honor to greet? I shall not sacrifice for the land a maiden not mine by birth. If the city is taken, what joy will there be in my children? Well, everything shall be saved so far as I can do it. Others will rule. I shall save the city. As to that, where the state is most important, there is no one who, by my consent, shall overturn the ancient institutions of our fathers, nor in place of olive and the golden Gorgon shall the trident stand upright in our foundations, nor Eumolpus or the Thracian people crown it, and Pallas be no more honored. Take my offspring, citizens. Be safe, be victorious. It may not be that I, for one life, shall not save the fatherland for you. O fatherland, would that all who dwell within thee loved thee as I do. Then

happily would we inhabit thee and thou wouldst suffer no harm."

(101) These verses, gentlemen, trained your fathers. Although all women are naturally fond of children, he made her love the fatherland more than children, setting forth that, if women dared to do as she did, men must not be surpassed in good-will for their country, nor desert it in flight, nor disgrace it before all the Greeks as Leocrates has done.

(102) I wish also to take an example from the poems of Homer. Your forefathers thought Homer so excellent a poet that they enacted a law that his poems alone should be recited at the panathenaea every fifth year, in order to show the Greeks that they preferred the noblest deeds. With reason, for

the laws on account of their brevity do not teach
but enjoin what must be done, while the poets in
imitation of human life select the finest deeds
and persuade men by discourse and exposition. (103)
Hector said this while cheering on the Trojans
in behalf of their country:

"Fight steadily at the ships. Whoever of
you meets death and doom by dart or blow, let him
die. It is not unseemly for him to die in defense
of his country. His wife and little children are
safe and his patrimony and house are unharmed, if
the Achaeans return with their ships to their dear
native land."

(104) When your ancestors heard these verses,
gentlemen, and emulated such deeds, they were so

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moved to valor that not only were they willing to die in behalf of their own country, but also of all Greece, as though it were their common country.

So men arrayed against the barbarians at Marathon defeated the army of all Asia and gained a common security for all the Greeks by their personal perils.

They had no pride in their fame, but in acting worthy of it, and so made themselves leaders of the Greeks and masters of the barbarians. For, not in name did they practice valor, but displayed it to all by their deeds. (105) For this reason those who

inhabited the city at that time were men so earnest in public and in private that god counseled the Lacedemonians, the most gallant men of former days, in their war with the Messenians, to take a leader from among us and they would conquer their enemies.

If god declared that ours were better leaders than the sons of Heracles, who always are kings of Sparta, must we not think their valor unsurpassable?

(106) What Greek does not know that they took

Tyrtaeus as general from our city, with whom they

both overcame their enemies and prescribed the train-

ing of the young?⁷ Thus they planned well not only

for threatening danger, but for all time. He composed

and left them verses which they heard and were

disciplined in manliness by them. (107) They made

nothing of other poets, but were so strongly im-

pressed by this one that they made a law that whenever

they were campaigning in arms everyone should be

called to the tent of the king to hear his poems,

believing that in this way they would become willing to

die for their country. It is worth while also to

hear these verses in order that you may know by what poems the composers became honored among them.

"It is noble for a brave man to fall and die among the foremost fighters, while warring for his country. It is most grievous of all things for one who deserts his city and fertile lands to wander and beg with his mother and aged father, his little children and wedded wife, for he will be hateful to whomever he meets by yielding to want and dire poverty. He disgraces his family and shames a splendid form, and all dishonor and misery follow. If there is neither regard for a wandering man nor respect for his family after him, let us fight with zeal for our land. Let us die for our children, no longer sparing our lives. Young men, stand by each

other and fight. Begin neither disgraceful flight nor panic, but keep a strong and doughty spirit in your breasts, and do not regard your life while fighting your enemies. Do not flee and leave your fathers whose knees no longer lightly move, those aged men. It truly is shameful for an older man in the front ranks with white hair and hoary beard to fall and lie before the young and breathe out his valiant spirit in the dust, his body naked, his vitals in his hands, a shame to the eyes and provoking one's wrath to behold. All things beseeem the young while the fine flower of lovely youth is theirs, fit for men to see, loved of women while alive, and beautiful when fallen in the front ranks. With firm tread let each one stand his ground, feet upon the earth, and biting his lips with his teeth."

(108) Noble verses, indeed, gentlemen,
and helpful to those who care to heed them. Those
who heard them were so prompted to manliness that
they disputed the leadership with our city. With
reason, for the finest of deeds were done by both.
Your ancestors overcame the barbarians who first
set foot on Attic soil, and made their manliness
conspicuously superior to wealth, and their bravery
to numbers. The Lacedemonians arrayed at Thermopylae
met a similar crisis and surpassed all others in
valor. (109) For that reason one may see inscribed
on their tombs a true testimony to all the Greeks.
To the Lacedemonians,

"Stranger, tell the Lacedemonians that we lie
here obedient to their laws."

And to our forefathers,

"The Athenians fighting in the forefront of the Greeks at Marathon destroyed the power of the golden-clad Medes."

(110) These verses, Athenians, are pleasant to remember. They laud the deeds and preserve an ever-memorable glory of the city. Not so Leocrates, for he voluntarily disgraced the long-gathered reputation of the city. So if you put him to death you will seem to all the Greeks to detest that sort of action. Otherwise you will rob your ancestors of their ancient glory and greatly injure your fellow-citizens, for those who do not admire your forefathers will try to imitate this man, in the conviction that those former deeds were approved by your forefathers, while among you shamelessness and treason and cowardice are judged to be most commendable.

(111) If I cannot instruct you about dealing with such persons, think how your ancestors exacted punishment from them, for, as they knew how to do noble deeds, so also they chose to punish evil ones. See, gentlemen, how they became enraged at traitors and regarded them as common enemies of the city.

(112) Phrynichus was slain at night near the spring among the willows by Apollodorus and Thrasyoulus.

When they were arrested and put in prison by the friends of Phrynichus, the people took note of what happened, led out the prisoners and entered suit after they had been tortured. On inquiry the people found that Phrynichus had betrayed the city, and those who had killed him were unlawfully imprisoned. (113)

The people voted, on motion of Critias, to try the dead man for treason, and if he appeared to be a

traitor in their midst, to dig up his bones and remove them outside Attica in order that even the bones of a man who betrayed his country and the city should not lie in our soil. (114) They decreed also that if anyone should defend the dead man, and he should be convicted, this person should be held to the same penalty. They thought it unjust even to aid those who deserted the rest, and that one who rescued a traitor would likewise betray the city. By so hating wrong-doers, and by such decrees against them, they gained immunity from dangers. Take the decree, clerk, and read it to the jury.

DECREE

(115) You hear this decree, gentlemen. Later they dug up the bones of the traitor and removed them from Attica, put to death his defenders, Aristarchus

and Alexicles, and did not permit them even to be buried in the country. When you have the person alive in your hands who betrayed the city, will you let him go unpunished? (116) Will you really be so much inferior to your forefathers as to acquit the man as guiltless who deserted the people, not in word, but in fact, when they inflicted the extremest penalties upon those who by word only aided a traitor? Nay, indeed, gentlemen of the jury. It is not traditional with you to vote in a manner unworthy of yourselves, for if a single decree of this kind had ever been passed, one might say that the people had done it in anger and not according to facts. But when they exacted the same penalty from all alike, isn't it clear that they naturally waged war upon such conduct? (117) They punished Hipparchus, son of

Charmus, with death because he did not stand trial for treason before the people, but defaulted the suit. And when they did not get his person as security for the crime, they took down his statue from the acropolis, melted it, and made a stele, voting to inscribe on it the names of the offenders and traitors. The names of Hipparchus himself and other traitors were placed on it. (118)

Clerk, please take and read, first, the decree according to which the statue was removed from the acropolis, then the inscription on the stele, and the names of the traitors afterward added to it.

DECREE AND INSCRIPTION ON THE STELE

(119) How do your ancestors appear to you, gentlemen? To think as you do about criminals? When they could not get the person of the traitor into

their power, do they not seem to have taken his memorial away and punished him with what penalty they could, not merely by melting the brazen statue, but in order to leave behind forever an example to their posterity of their feeling toward traitors?

(120) Take also the other decree, concerning those who went to Decelia when the people were besieged by the Lacedemonians, in order that the jury may know that your forefathers inflicted similar and fitting penalties upon traitors. Read it, clerk.

DECREE

(121) You hear also this decree, gentlemen, that they condemned those who went to Decelia during the war and voted that if any of them were caught returning, any Athenian could lead him before the thesmothetae who, on taking him, should hand him over to the

executioner at the barathrum. At that time they punished in this way those in the country itself who went away. And will you not put to death the man who fled from the city and country to Rhodes in time of war and betrayed the people? If not, how will you presume to be descendants of those men?

(122) It is worth while also to listen to the decree concerning the man who died at Salamis, whom the senate, after putting on garlands, slew with their own hands because he merely tried to betray the city, and in word only. Noble, indeed, is the decree, gentlemen, and worthy of your ancestors. Justly so, for they not only had fine spirits but also fine sentiments about the punishment of criminals.

DECREE

(123) What then, gentlemen? Does it seem to you

who wish to imitate your forefathers that it is in accord with their practice not to slay Leocrates? When they made way with the man who in word only betrayed the city when it was in ruins, what is becoming in you to do to the man who, not in word, but in act, deserted an inhabited city? Shouldn't you surpass them in the penalty you inflict? And when they punished in this way those who attempted to deprive the people of their safety, what should you do to the betrayer of the safety of the state itself? And when they so punished the guilty to protect its fair name, what should you do for it?

(124) This is sufficient for you to understand the disposition of your forefathers toward those who acted illegally about the city. You must not fail to hear the words of the stele in the senate-house

concerning traitors and those who undo the democracy, for it makes judgment easy for you if there are many examples to instruct you. After the Thirty your fathers suffered at the hands of citizens what no Greek ever dreamed of. When with effort they returned to their own country, they blocked up all the paths of crime, because they had experience and knew the incipient methods and approaches of traitors. (125) They voted and took oath that, if anyone attempted a tyranny, or betrayed the city, or overthrew the democracy, the man who perceived it and slew the betrayer should be pure. It seemed better to them that those who were charged with a crime should be put to death than that those who were actually experiencing its effects should be slaves. In short, they thought that citizens should

live so that no one would ever be suspected of these crimes. Please take and read the decree.

DECREE

(126) They inscribed this upon the stele, gentlemen, and placed it in the senate-house to remind those who came together day by day and counseled for the country, of the proper disposition toward such persons. And for this reason if anyone merely saw them about to do anything like this, they swore to kill him. With reason, for the punishment of other crimes must be arranged later, but of treason and revolution, beforehand. For, if you let the moment go by in which criminals are going to injure the country, it is impossible for you to exact a penalty from them afterward, because they are already become stronger than the vengeance of the persons who

are wronged.

(127) Therefore, gentlemen, consider their foresight and actions in a worthy manner, and do not forget in your balloting what men your forefathers were, but summon yourselves to go from this court after voting today just as they did. You have memorials and examples of the kind of punishment set forth in their decrees about criminals. You have sworn in the decree of Demopnantes to slay the betrayer of the country by word, deed, hand and ballot. Do not suppose that you are to be heirs of the property of your fathers, but not heirs of the oaths and good faith, in giving which your fathers shared with the gods in the common happiness of the city.

(128) Not only your city but the Lacedemonians

regarded traitors in this way. Do not become angry at me, gentlemen, if I frequently call these men to mind. It is an advantage to get examples of justice from a well-ordered state so that each of you may more certainly cast a just and lawful ballot. They caught Pausanias, their own king, who had betrayed Greece to the Persian, and when he had secretly taken refuge in the sanctuary of the brazen house they blocked the door, opened the roof, and surrounded the place with soldiers who did not go away till he was dead. (129) They made the punishment a warning to everyone that not even the protection of the gods helps traitors. For no sooner (are they guilty) than they are impious toward the gods by robbing them of their traditional privileges. The highest testimony to

the occurrences there is what I am about to say.

They enacted a law covering all those who are unwilling to incur danger for the country, expressly stating that they shall die, and fitting the penalty to exactly what they most feared would happen, and making safety from war subject to peril and shame. To show you that I have not made an improbable statement, but have used truthful illustrations, bring the law for the jury to hear.

LAW OF THE LACEDEMONIANS

(130) Consider, gentlemen, that the law was a suitable and valuable one not only to them but to other men, for a strong fear of one's fellow-citizens will compel a man to undergo perils in the face of the enemy. Who would desert his country in the midst of dangers when he sees a traitor punished with death?

Or who will regard his life to the harm of the city when he knows that this is the punishment awaiting him? There should be no other punishment for cowardice than death, because men will much sooner choose to face their enemies than laws and their fellow-citizens when they know that they must meet one or the other danger.

(131) This man might more justly die than those who fled from the camps, in proportion as they came to the city to fight for it, or to share in misfortunes common to other citizens. But this creature fled from the country to gain personal security, without daring to fight even for his own hearth. He alone of all men betrayed the attachments and bonds of nature, which are of the utmost importance even to insensate beasts. (132) One sees

that the birds willingly die for their young
although they are born for flight. For that
reason the poets have said,

"Not even a bird of the wild will lay
its young in another place if its nest is made."

Leocrates so far outdoes it in cowardice that he
left the country to its enemies. (133) Wherefore
no city permitted him to stay in it, but expelled
him more than it did murderers. With reason.

When men escape trial for homicide by going to another
city, they are not received as enemies, but what
city would welcome this man? One who did not help
his country would quickly undergo some danger for
a foreign one! Such men are bad citizens, guests
and friends in private life, who will share the
advantages of a city but will not expect to help it

in time of misfortune. (134) As for the man who is hated and expelled by those who are wronged, what should he meet at your hands who have suffered so terribly? Should he not meet the extreme penalty? Leocrates of all traitors that ever lived might most justly undergo a greater punishment than death, if there were one. For other traitors are punished when they are caught as they are about to commit a crime, but this man alone accomplished what he undertook and is tried after deserting the city.

(135) I wonder how in the world those who are going to plead for him expect him to be acquitted? Is it through his friendship with them? But they seem to me to be rightly deserving, not of favor, but of death, because they dare to be familiar with him. Before Leocrates committed this crime it was

unknown what sort of persons they were, but now everyone knows that they guard his friendship because their ways are the same as his. For that reason they might much better defend themselves than beg him off from your verdict.

(136) I think that his dead father, if, indeed, the dead have any perception of what is taking place here, would be the severest judge of all. His bronze statue in the temple of zeus Savior this man gave up to the enemy to be desecrated and abused. His father set it up as a memorial of his moderation. Leocrates has made it ignominious. Of such a son is he called the father! (137) In view of this many have approached me, gentlemen, inquiring why I did not add to the indictment that he had betrayed the statue of his father in the

temple of Zeus Savior. I am not ignorant, gentlemen, that this crime deserves the heaviest penalty, but I did not think it necessary while trying this man for treason to add the name of Zeus Savior to the indictment!

(138) I am most astonished that you do not in your carelessness have a just and fierce wrath against those who are related to defendants neither by birth nor friendship, yet plead for them for pay. To speak in defense of criminals is proof that the speakers would have participated with him in their misdoings. It is not right that skill should be used against you, but for you, in behalf of the laws and the democracy.

(139) Besides, some of them no longer seek to deceive you by their words, but now expect to

clear the culprits because of the liturgies which they have conducted. I am most irritated at them. They solicit public favor from you for private advantage because they performed these services. If one has raised horses, or conducted a chorus brilliantly, or gone to expense for any such thing, he does not deserve a favor from you, because in those matters he alone is crowned and profits no one else, but if he has been a conspicuous trierarch, or has put walls about the country, or has contributed of his private means to the common safety, these things are of interest to you all.

(140) In them one sees the quality of the contributors, but in the other merely the prosperity of those who spend the money. I think no one has

profited the city so much as to expect to receive the favor of exempting traitors from punishment, or anyone so stupid as to be ambitious for the city, yet to aid this man who erased his own honor first. Unless, by Zeus, the fatherland and the people have not the same interests!

(141) Now the judges ought to be allowed, gentlemen, even if it is permissible in no other instance, to decide the case with their children and wives sitting beside them. At any rate, in trying a case of treason it ought to be right to do so. When all those who have shared the dangers may, by being seen and reminding you that they were not thought worthy of public pity, induce the sternest judgment upon the criminal. But since it is not legal nor customary, but is necessary for you to try the case

in their behalf, do you, after penalizing and slaying Leocrates, proclaim to your children and wives that when you had their betrayer in your power you avenged them.

(142) It is a dreadful and shameful thing if Leocrates, the defendant, supposes that he should be on an equal footing in the city when others remained. He took no risks with those who were in the ranks. He did not protect the city which they saved, but is here to share the holy sacrifices, market, laws, government, for whose preservation a thousand of your citizens died at Chaeronia, whom the city gave a public burial. When he returned to the city he found no pleasure in the epitaphs inscribed on the memorials, but shamelessly thinks he may bring their misfortunes before the eyes of the

sufferers. (143) And he will soon ask you to listen to his defense as the laws prescribe.

Do you ask him, "What laws?" Laws which he went off and left. And to permit him to dwell within the walls of the country. "What walls?" Those which he alone of our citizens did not help protect. And he will call upon the gods to save him from dangers. "What gods?" Isn't it those whose temples and statues and glebes he betrayed? He will beg and supplicate you to pity him. "Supplicate whom?" Is it not those with whom he did not have the courage to bring the same support for their safety which they did? Let him supplicate the Rhodians, for he thought his safety lay with their city rather than with his own country. (144) What age can justly pity him? The old men? On his part

he did not give them his support in old age,
nor burial in the free soil of the fatherland.

Or the younger men? Who could remember his comrades arrayed (at Chaeronia) with him and sharing the same dangers, and save the betrayer of their tombs, and by the same ballot charge those with insanity who died for freedom, and acquit the man who deserted the country, and do so on the ground that he is a well-meaning person? (145) You will simply give license to anyone who wishes to do so to abuse the people and yourselves in every way, for not only will the banished return when the man lives in our country and city who left and condemned himself to exile and dwelt in Megara five or six years under a patron, but also plainly by his decision condemned Attica to become a sheep-pasture.

This man is your fellow-dweller,--in this country!

(146) I am ready to leave the platform after speaking to you briefly, and presenting the decree which the people passed concerning piety. It is important for you who are to cast your ballot. Please read the decree.

DECREE

I charge you who have authority, to punish the man who did away with all these things, and that it is your business to punish Leocrates for your own and the gods' sake. For crimes while untried relate to the perpetrators, but when a trial comes on the responsibility rests upon those who do not properly punish them. Be sure, gentlemen, that each of you, though now casting a secret ballot, will make plain to the gods what his attitude is.

(147) I believe, gentlemen, that today you are casting a single ballot about all great and heinous crimes, for all of which one may see that Leocrates is responsible; for treason, because he made the city subject to its enemies by deserting it; for the destruction of the democracy, because he did not face danger in behalf of freedom; for impiety, because he aided, so far as he could, the ruin of the glebe lands and the destruction of the temples, and the abuse of parents by obliterating their monuments and robbing them of the traditional rites; for desertion and shirking service by not offering himself to the generals to be placed in the ranks. (148) Then will anyone acquit this man and have compassion for his deliberate crimes? Is there anyone so stupid as to save him and give up

his own safety to men who are willing to desert?
Or to pity him and to choose to destroy himself
and go unpitied by his enemies? Or by according
favor to the betrayer of the country to be subject
to the vengeance of the gods?

(149) In support of the country, its
sanctities and its laws, I bring this suit to a
close in a proper and just way, without denouncing
the rest of his life or making a charge outside
the matter in hand. Each of you ought to consider
that the man who acquits Leocrates is condemning
the country to death and slavery, and that, of
the two urns standing there, one represents treason,
the other safety, and that the ballots are cast,
some for the ruin of the country, some for its
safety and happiness. (150) If you acquit Leocrates

you will vote to betray it, its shrines and its ships. But if you put him to death you will summon yourselves to guard and preserve the country, its revenues and its prosperity.

Therefore, Athenians, deeming that your land and its trees supplicate you, that your harbors and dockyards and the walls of the city implore you, that your temples and shrines expect you to uphold them, make an example of Leocrates, remembering the accusations and seeing to it that pity and tears do not have more influence with you than the punishment due the laws and the people.

You will find it stated in the report that the

total, but it does not give the exact figures.

Some provision is made for the future.

Some of the figures are in brackets.

There are, however, several other items.

There are also some other items.

There are also some other items.

There are also some other items.

There are also some other items.

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There are also some other items.

There are also some other items.

There are also some other items.

Glossary

ACROPOLIS. The hill in the midst of Athens, sacred to Athena, on which were her temple, the parthenon, and numerous buildings and shrines.

AGORA. A meeting place probably just north of the west end of the acropolis. Around it were many public buildings, colonnades and works of art.

AREOPAGUS. A hill just west of the acropolis believed to be the home of the Furies. The word means 'Hill of Ares'. An ancient court, called the court of the areopagus, heard murder cases and, at this time, was charged with various administrative duties.

AREOPAGITES. Members of the areopagitic court.

ARTEMIS BRAURONIA. Artemis is so called because she was worshipped at a festival every fifth year at a small village called Brauron.

ASSEMBLY. A meeting at which all Athenians not under some civil disability met to discuss and vote upon such matters as came before them.

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BARATHRUM. A cleft into which criminals were thrown.

CHORUS. A Dance. Here signifies the choral part of a Greek play which was chanted to timed movements of the body.

DECREE. An action by the assembly upon some special matter. Action upon a general matter was called a law.

DEME. Means a district, the people, the assembly in session, the constitution, as the case may be. (Cf. democracy.)

DRACHMA. A coin worth about eighteen cents.

ELEUSINIA. Refers to the celebrations in honor of Demeter and Persephone at which elaborate ceremonies ushered initiates into the 'mysteries', as they were called. These initiations were secret and little is known about them although they were performed during several centuries.

ELEVEN, THE. A board charged with carrying out the sentences of the courts. The prison board.

EPHEBI. Name given to young men on reaching the age of eighteen when, for two years, they did military duty before becoming full citizens.

EPONYMI. Title of certain renowned persons of antiquity, mostly legendary, like Heracles.

GODDESSES OF THE AEROPAGUS, or HOLY GODDESSES. Refers to the Furies. See AREOPAGUS.

HELIAST. Name given to the members of the jury courts.

HEROES. A Greek word with no meaning such as it has in English. It refers to ancient characters of renown, many of them legendary, like Heracles or Aegeus.

JURY. Six thousand jurymen were chosen each year. Usually they sat in five hundreds or units of that number.

HIPPARCH. A general of cavalry.

LAW. See DECREE.

LITURGY. A special service performed for the

THEY. I have been in the same
 the way of things here. For the first time
 since I have been in the country.

THEY. I have been in the same
 of things, nearly the same.

THEY. I have been in the same
 things to the same.

THEY. I have been in the same
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THEY. I have been in the same
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 of things, nearly the same.

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 of things, nearly the same.

THEY. I have been in the same

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THEY. I have been in the same

state by the wealthier citizens.

MARKET. A place slightly north west of the acropolis where men congregated. Near it were numerous public buildings, colonnades, shrines, statues.

MEDIMNUS. A measure equal to about a bushel and a half.

MINA (plural MINAE). A sum of money equal to about eighteen dollars.

MUNYCHIA. Name of the acropolis of Piraeus, the seaport of Athens.

PIRAEUS. The seaport of Athens, four miles away from the city.

PANATHENAEA. A celebration at Athens every fifth year in honor of Athena, consisting of solemn processions, games and other exercises.

PRYTANES. Name given to a section of the senate when this section, in its turn, acted as committee to prepare business for the senate or the assembly.

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PRYTANEUM. A building (otherwise called THOLUS) where certain officers were dined and where foreign dignitaries were entertained. Its privileges were also given to citizens who had distinguished themselves and, at times, to their descendants in perpetuity. Occasionally foreigners who had done some favor to the state, were likewise entertained at public expense.

SENATE. A body of five hundred men elected yearly and constituting an 'upper house'. It had some other duties, but chiefly its function was to prepare business to be presented to the assembly.

STATER. A coin. The Athenian gold stater was worth about three dollars and twenty five cents. The silver stater was worth about sixty cents.

STELE (plural STELAE). A slab of marble or metal large enough to permit an inscription upon it. STELAE were set up in the city, or at any appropriate place.

SYCOPHANT. This word, in Greek, came to mean a blackmailer. Its Greek form is used several times in the text. It did not mean, as with us, a cringing

WILLIAM. A nation's life is a

single thread, and every man is a link

in the chain. The thread is spun by the

looms of the people, and the chain is

strengthened by the hands of the

people. The thread is spun by the

looms of the people, and the chain is

strengthened by the hands of the

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strengthened by the hands of the

people. The thread is spun by the

looms of the people, and the chain is

person.

TALENT. A measure of weight. As a sum of money, it was equal to about twelve hundred dollars.

THESMOTHEAE. Name of a committee consisting of the six junior archons who revised the laws, and attended to certain other duties.

THIRTY, THE. Title of an oligarchic government placed in charge of Athens after the democracy was set aside in 404.

TRIERARCH. The commander of a trireme.

TRIERARCHIC LAW. Refers to a law dealing with the support of the navy. The 'three hundred' mentioned in this connection refers to the richer citizens who were protesting a change in the law which would throw still heavier expense upon them.

TRIREME. War vessel having three banks of oars.

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